



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

**Case File:** A-94-15

**Property Address:** 516 Orange Street

**Property Owner:** Marlow Builders

**Project Contact:** Anderson Marlowe

**Nature of Case:** A request for an 11.5' primary street yard setback variance from the Residential Infill Compatibility requirements set forth in Section 2.2.7.C of the Part 10A Unified Development Ordinance to allow for the construction of a detached house resulting in a 50.7' street yard setback on a .45 acre property zoned Residential-4.



**516 Orange Street – Location Map**

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**To BOA:** 8-10-15

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING  
DISTRICTS:** Residential-4



### 516 Orange Street – Zoning Map

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

## 2.2.7 Residential Infill Compatibility

### A. Intent

The intent of the residential infill compatibility standards is to accommodate and encourage compatible development in existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating adverse impacts on adjacent homes.

### B. Applicability

1. The standards contained within this section apply to any building in an R-4, R-6 or R-10 district where all of the following are present:

- a. The total site area is 5 acres or less;
  - b. At least 50% of the side and rear property lines abut existing detached or attached building types; and
  - c. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.
2. These infill compatibility rules do not apply in a General or Streetside Historic Overlay District or in a Neighborhood Conservation Overlay District where height is regulated.

### C. Street Setback

1. The proposed building must be located within the range of setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range, except where a Neighborhood Conservation Overlay District applies an alternate setback.
2. On an interior lot, the range of setbacks is measured on the basis of the 2 closest lots in either direction along the block face. **(The range of allowable setbacks in this case would only allow the dwelling to be as close as 60.5' from the front property line)**
3. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the primary block face.
4. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards.

**Zoning District Setback Standards:** The subject property is zoned Residential-4

<b>Yard Type</b>	<b>Minimum Setback</b>
Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'



# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Variance Application

		OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.)		Transaction Number
11 FEET. WE WOULD LIKE SETBACK FOR 50 FEET (like old House). WE ARE CURRENTLY BEING TOLD IT NEEDS TO BE 60.5		
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.		

GENERAL INFORMATION			
Property Address		Date	
516 ORANGE STREET		OCTOBER 5, 15	
Property PIN	Current Zoning		
1705156669	RESIDENTIAL		
Nearest Intersection		Property size (in acres)	
RUTHERFORD & TRANSYLVANIA		.45	
Property Owner		Phone	Fax
MARLOWE BUILDERS		919 645.1600	919 645.1602
		Email	
		marlowebuilders@gmail.com	
Project Contact Person		Phone	Fax
ANDERSON MARLOWE			
		Email	
Property Owner Signature		Email	
Notary		Notary Signature and Seal	
Sworn and subscribed before me this <u>5</u> day of <u>OCTOBER</u> , 20 <u>15</u>		Emily S. Ballard	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.


[Home](#)

## Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0061227** PIN # **1705156669**
[Account Search](#)
Location Address  
**516 ORANGE ST**Property Description  
**LO164 C C HILLS MP 38 BL10**
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.


<b>Property Owner</b> <b>MARLOWE BUILDERS INC</b> (Use the Deeds link to view any additional owners)		<b>Owner's Mailing Address</b> <b>3700 COMPUTER DR STE</b> <b>280</b> <b>RALEIGH NC 27609-6531</b>	<b>Property Location Address</b> <b>516 ORANGE ST</b> <b>RALEIGH NC 27609-6928</b>
<b>Administrative Data</b> Old Map # <b>435-00000-0578</b> Map/Scale <b>1705 09</b> VCS <b>01RA289</b> City <b>RALEIGH</b> Fire District Township <b>RALEIGH</b> Land Class <b>VACANT</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-4</b> History ID 1 History ID 2 Acreage <b>.45</b> Permit Date <b>6/30/2015</b> Permit # <b>0000123283</b>		<b>Transfer Information</b> Deed Date <b>6/9/2015</b> Book & Page <b>16044 0362</b> Revenue Stamps <b>1000.00</b> Pkg Sale Date <b>1/1/1975</b> Pkg Sale Price <b>\$45,000</b> Land Sale Date <b>6/9/2015</b> Land Sale Price <b>\$500,000</b>  <b>Improvement Summary</b> Total Units <b>0</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area	<b>Assessed Value</b> Land Value Assessed <b>\$490,000</b> Bldg. Value Assessed  Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value <b>\$490,000</b> Assessed*

\*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.

Real Estate ID **0061227**PIN # **1705156669**Account  
SearchLocation Address  
**516 ORANGE ST**Property Description  
**LO164 C C HILLS MP 38 BL10**[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address <b>516 ORANGE ST</b>		Building Description <b>01RA289</b>		Card <b>01</b> Of <b>01</b>																																																																																																																									
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing		Year Blt Addns Int. Adjust. Other Features		Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code <b>Card 01 Value</b> All Other Cards Land Value Assessed <b>\$490,000</b> Total Value Assessed <b>\$490,000</b>																																																																																																																									
Main and Addition Summary <table border="1"> <thead> <tr> <th>Story</th> <th>Type</th> <th>Code</th> <th>Area</th> <th>Inc</th> </tr> </thead> <tbody> <tr><td>M</td><td></td><td></td><td></td><td></td></tr> <tr><td>A</td><td></td><td></td><td></td><td></td></tr> <tr><td>B</td><td></td><td></td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td><td></td><td></td></tr> <tr><td>D</td><td></td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td><td></td></tr> <tr><td>H</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>			Story	Type	Code	Area	Inc	M					A					B					C					D					E					F					G					H					Other Improvements <table border="1"> <thead> <tr> <th>Units</th> <th>DesItem</th> <th>Code</th> <th>Year</th> <th>%ADJ</th> <th>Inc</th> <th>Value</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>			Units	DesItem	Code	Year	%ADJ	Inc	Value																																																															
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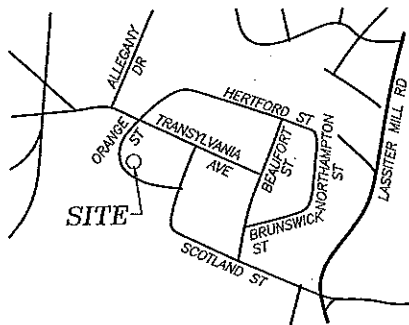
# FLOOD CERTIFICATION

THIS WILL CERTIFY THAT THE SUBJECT PROPERTY  
( ) IS or ( X ) IS NOT located in a SPECIAL FLOOD HAZARD AREA  
as determined by the Department of Housing and Urban  
Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 1705 J  
COMMUNITY # PANEL SUFFIX  
ALL CONSTRUCTION SHALL BE IN  
ACCORDANCE WITH ALL CITY OF RALEIGH  
AND NCDOT STANDARDS AND SPECIFICATIONS

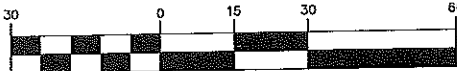
*Jeffrey H. Davis, PLS*  
PROFESSIONAL LAND SURVEYOR

ADJOINER HOUSE OFFSETS FROM STREET RIGHT OF WAY		
ADDRESS	DISTANCE	HEIGHT
524	99.0	7.2
520	72.0	8.5
516	50.7	—
512	60.5	16.4
508	61.5	10.1



VICINITY MAP  
(N.T.S.)

SCALE



( IN FEET )  
1 inch = 30 ft.

TIE TO THE EIP AT THE  
NORTHWEST CORNER OF LOT  
163 PER BOM 1952, PG 20

## LEGEND

- EXISTING IRON PIPE
- NEW IRON PIPE
- × COMPUTED CORNER

NOTE:  
THIS PROPERTY DOES NOT LIE WITHIN  
2000' OF A N.C.G.S. MONUMENT.

THIS SURVEY IS OF AN EXISTING PARCEL  
OR PARCELS OF LAND.

UTILITIES SHOWN ARE FOR REPRESENTATION  
ONLY AND NOT TO BE USED FOR  
PROPERTY LINE LOCATION

ALL CREEKS, EASEMENTS, BUFFERS,  
FLOOD LIMITS & SETBACKS TAKEN  
FROM BOM 1952, PG 020

IMPERVIOUS AREA  
HOUSE 3300 SQ.FT.  
PORCH 775 SQ.FT.  
DR/WLK 4080 SQ.FT.  
TOTAL 8135 SQ.FT.  
41.7% IMPERVIOUS

ORANGE STREET  
(50' R/W)

LOT 164  
COUNTRY CLUB HILLS  
19,531 SQ.FT.  
0.45 ACRES

CONC  
DRIVE

PROPOSED  
DWELLING

AC  
UNITS

TERRACE

EXISTING DRIVE  
ENTRANCE TO BE  
RELOCATED

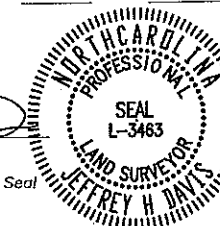
R=250.00'  
L=203.44'  
Delta=46°37'34"

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision;  
and that the error of closure as calculated by latitudes and departures is 1/10,000+; that the boundaries not surveyed  
are shown as broken lines plotted from information found in Book —; Page —; that this map was prepared in  
accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this  
30TH day of JUNE 2015.

PRELIMINARY PLAT, NOT FOR  
RECORDATION, CONVEYANCES, OR SALES  
THIS PLAN MUST BE APPROVED BY ALL  
STATE AND LOCAL REVIEWING AUTHORITIES  
FOR CONFORMANCE WITH SITE ZONING  
AND CODE OF ORDINANCES

Signed *Jeffrey H. Davis*



SITE PLAN

SITE PLAN CREATED 10-07-2015

## PLAN INFORMATION BLOCK

Footprint:	Total Square Feet:
Crawl:	Slab:
Basement:	
Mean Height:	Stories:
Facade:	
Impervious Surface Area:	

MARLOW  
BUILDERS

LOT 164  
COUNTRY CLUB HILLS  
516 ORANGE STREET

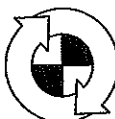
RALEIGH NORTH CAROLINA

DATE: 06-30-2015

DWG. NO.

SCALE: 1" = 30'

A-19290

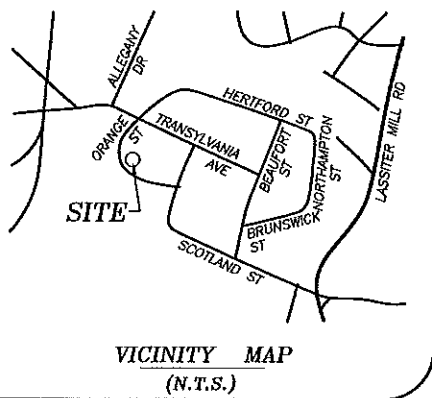


TURNING POINT  
SURVEYING PLLC

4113 JOHN S. RABOTEAU WYND  
RALEIGH, NORTH CAROLINA 27612  
FAX (800)948-0213 PH (919)781-0234  
License No: P-0121

C.N. = 22828  
B.O.M. D.B. 2869  
PAGE 114  
CO. REC.



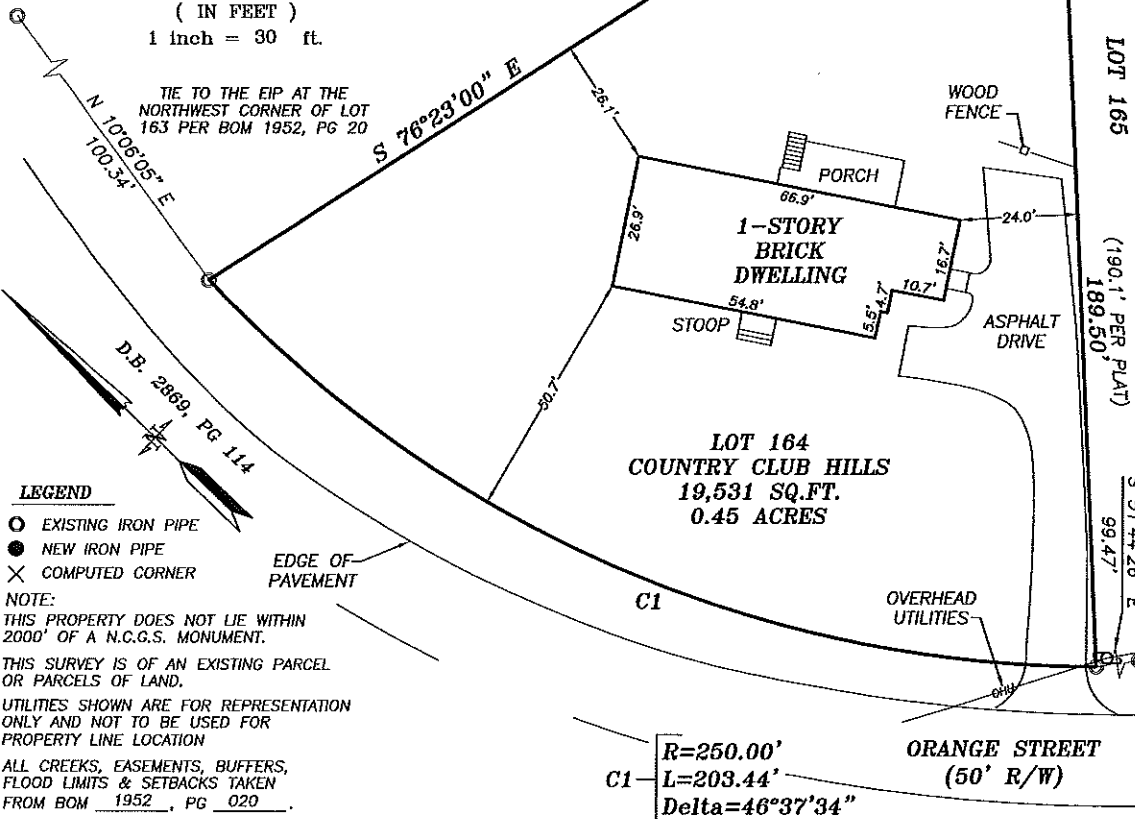
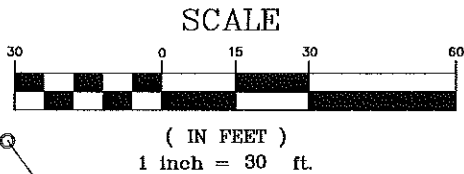


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370243 1705 J  
COMMUNITY # PANEL SUFFIX

JEFFREY H. DAVIS, PLS  
PROFESSIONAL LAND SURVEYOR



I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is 1/ 10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book     ; Page     ; that this map was prepared in accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this  
30TH day of JUNE 2015.

Signed

*Jeffrey H. Davis*

Seal



C.N. = 22828  
B.O.M. D.B. 2869  
PAGE 114  
WAKE CO. REG.

**MARLOW BUILDERS**

LOT 164  
COUNTRY CLUB HILLS  
516 ORANGE STREET  
RALEIGH NORTH CAROLINA

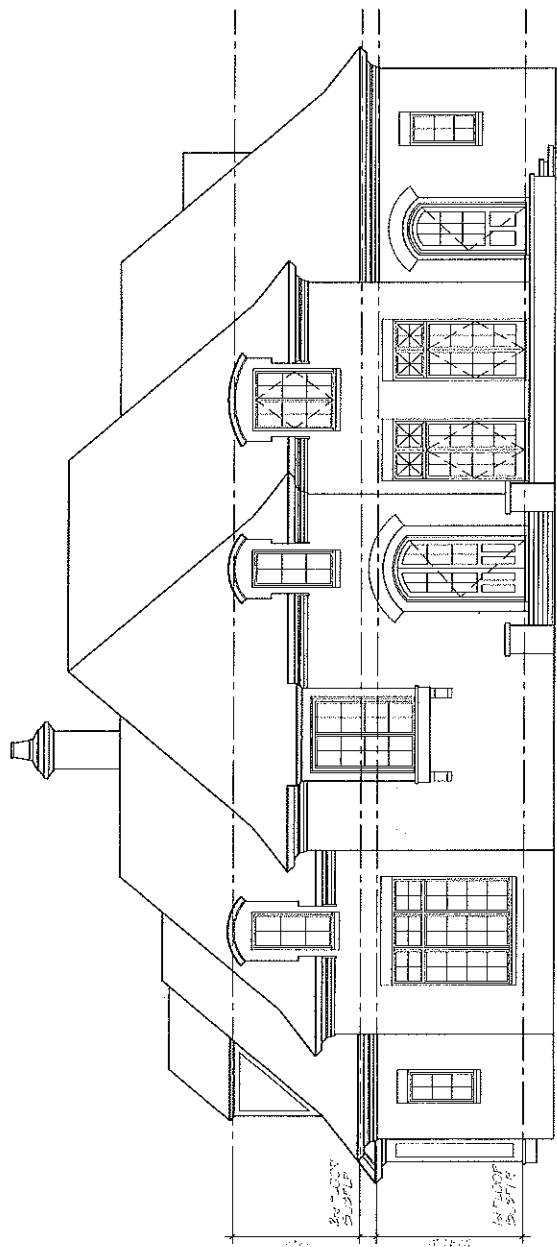
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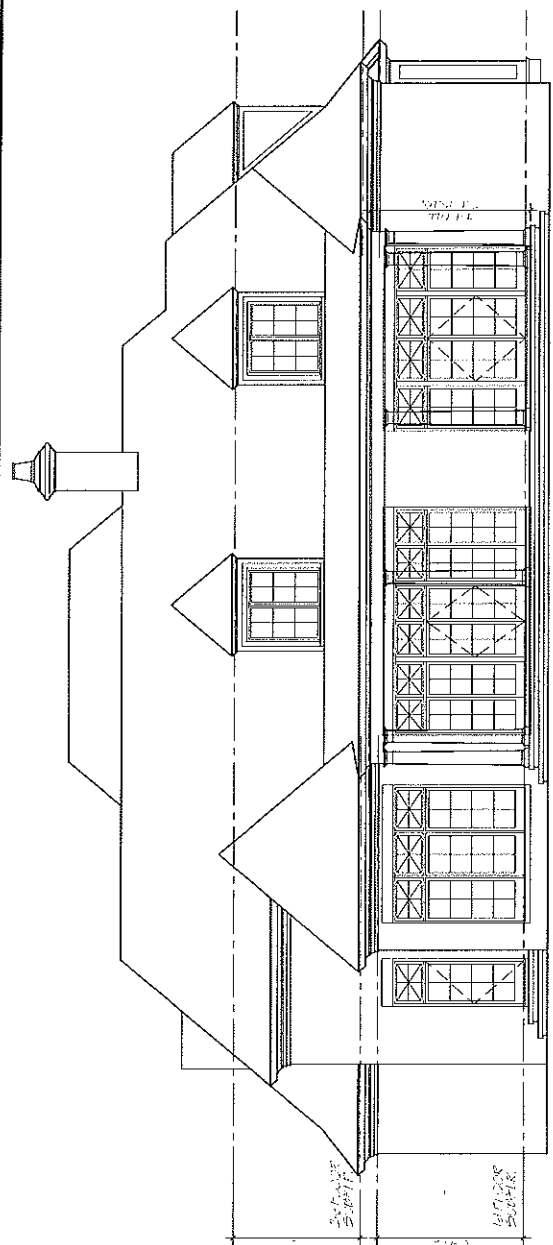


**TURNING POINT SURVEYING PLLC**

4113 JOHN S. RABOTEAU WYND  
RALEIGH, NORTH CAROLINA 27612  
FAX (800)948-0213 PH (919)781-0234  
License No: P-0121



FRONT ELEVATION

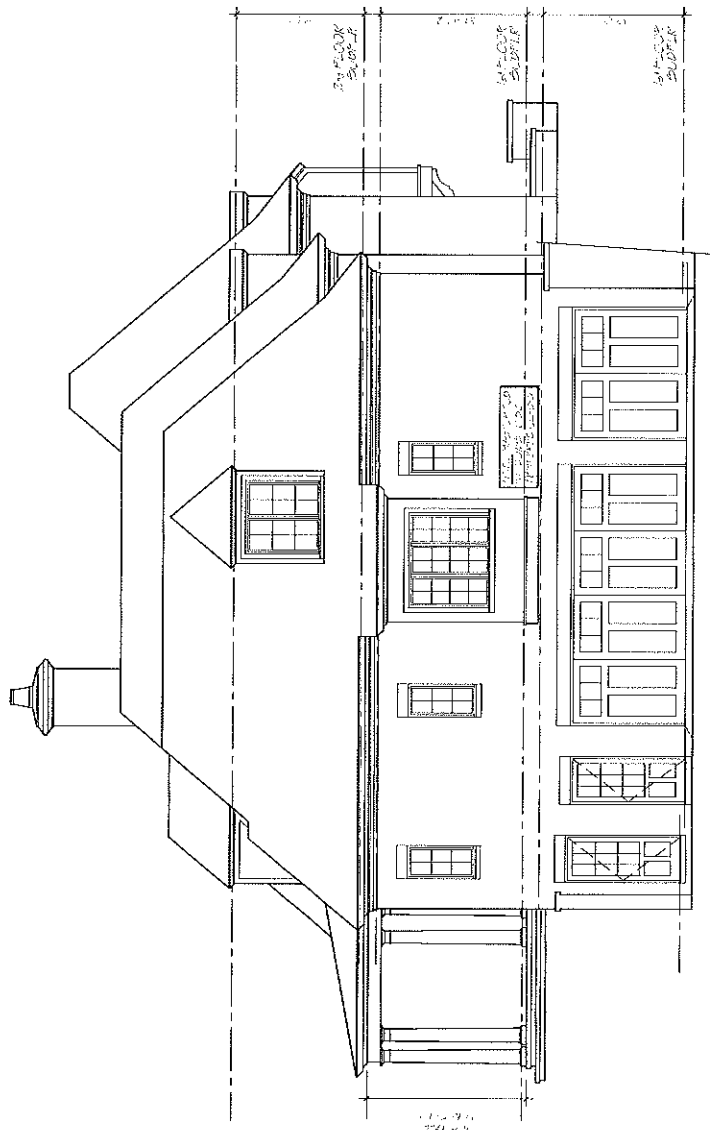


New Residence for:  
Judson & Margaret Williams



*Center Shinner*  
*Residential Designs*  
2000 N. 1st St.  
Phoenix, AZ 85004  
Tel: 602.254.1111  
Fax: 602.254.1112

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LEFT SIDE ELEV.  
30' x 12' 0"